

REMARKS

This Amendment and Response is believed to be responsive to the Final Office Action mailed on September 19, 2005. In that action the drawings were objected to under 37 C.F.R. 1.83(a), for failing to show every feature of the invention specified in the claims; claim 8 was objected to for improper dependent form; claim 21 was rejected under claims 35 U.S.C. 112, first paragraph, for failing to comply with the written description requirement; claims 1-9 were rejected under 35 U.S.C. 102(e) as being anticipated by Dwek (USPN 6,248,946); claims 10, 11, 13, 14, 17, 18, 20, and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dwek in view of Leeke et al. (USPN 6587127); claims 12 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Dwek in view of Leeke and further in view of Martino (USPN 5987103); claim 16 was rejected under 35 U.S.C. 103(a) as being unpatentable over Dwek in view of Leeke and further in view of Ten Kate et al. (USPN 6601237); claims 1-5, 8, and 9 were also rejected under 35 U.S.C. 102(e) as being anticipated by Liu (USPN 5,953,005); claims 6, 7, 10, 11, 13, 14, 17, 18, 20, and 21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Liu in view of Leeke; claims 12 and 19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Liu in view of Leeke and further in view of Martino; claim 16 was rejected under 35 U.S.C. 103(a) as being unpatentable over Liu in view of Leeke and further in view of Ten Kate. Applicant believes that, as amended, all pending claims are in allowable form and reconsideration of the above rejections is requested.

No claims have been added or canceled in this Amendment and Response. Claims 1-14 and 16-21 are pending. The drawings have not been amended as each of the limitations of the claims as now amended are found in the drawings, particularly Figure 1 that denotes multiple multimedia websites. Regarding the written description rejection of claim 21, an example of the

entity may be the centralized site (see for example, Figure 1) which is described in the specification at, for example, page 4, lines 4-17, of the Patent Application. Therefore, Applicant respectfully submits that the "entity in the data network" language and, indeed, all of claim 21 is supported by the specification.

Regarding the rejections based at least in part on Dwek, Dwek was filed on March 1, 2000 and Applicant has filed by mail on November 3, 2003, a declaration under 37 C.F.R. 1.131 establishing Applicant's date of invention at least as early as February 18, 1999. In that declaration, Applicant presented the Invention Disclosure Form first signed February 18, 1999 and witnessed on February 25, 1999, March 2, 1999, and March 3, 1999. Diligence was established during a critical period, defined in that declaration by the filing date of a provisional application to Eyal of January 24, 2000, to Applicant's filing date of March 2, 2000. Diligence was established in the declaration through attorney records made during the preparation of the application for Applicant. In light of Applicant's date of invention proceeding the March 1, 2000 filing date of Dwek and diligence from at least January 24, 2000 to March 2, 2000, Applicant respectfully requests that Dwek be removed as a prior art reference.

With respect to the rejections based at least in part on Liu, independent claim 1 has been amended to include the limitation of the processing module being configured to search for a second multimedia file in a second website that is in a distinct domain to that of the first website. Dependent claim 2 has been amended to comport with claim 1. Independent claim 20 also includes such a limitation, and is believed to be patentable at least for this reason. Independent claim 10 has been amended to include the limitation of searching a plurality of websites for a plurality of multimedia files, wherein said plurality of websites searched comprises two websites in distinct domains.

With respect to claim 1, Liu fails to disclose a first location and a second location wherein the first and second location are in different domains in the data network. Liu discloses "the main server defines the master database of all songs released" (Column 3, Lines 38-39). Even though the server is "remote" (Column 3, Line 31), Liu still only discloses a main server with a main database, with the notes that "multiple main servers are permitted for redundancy" and "the purpose of the caching subservers is to reduce load on the main server generated by song requests" (Column 3, Lines 31-52). Thus, Liu does not disclose a processing module configured to search a data network for a first multimedia file and a second multimedia file in locations that are situated within distinct domains of the data network.

Applicant submits that claim 1 is in allowable form and that claims 2-9 are in allowable form because of the additional limitations contained therein and because they depend on claim 1.

Regarding claim 10, Liu fails to teach configuring a central processor for searching a plurality of multimedia websites comprising at least two websites in distinct domains of a data network. Liu discloses a main server defining a master database of all songs released (Column 3, Lines 38-39). In support of this, Applicant references and resubmits the arguments made above in relation to claim 1. Therefore, Liu fails to disclose configuring a central processor as claimed in claim 10.

Further regarding claim 10, Leeke fails to disclose a method of searching a website for multimedia files. Rather, Leeke teaches providing content through relationships with content providers and linking to websites for further information. Leeke also discloses in several places the utility of receiving feedback and the systems involved in receiving such feedback as well as a means to present advertising for the content owners. Therefore, Leeke teaches a system that is coordinated with multimedia websites. Further, Leeke discloses in several places the utility of

receiving feedback and the systems involved in receiving such feedback and discloses a means to present advertising for the content owners. The claimed method of searching a website for multimedia files is distinct from Leeke's teachings because Leeke fails to search and instead is supplied a list from a website of multimedia files available at that website. Leeke thereby fails to teach a method of providing a central processor for searching a multimedia website for a multimedia file much less a schedule of the availability of said multimedia file, categorizing said multimedia file, and creating a listing containing information relating to said multimedia file.

Applicant submits that any combination of Liu and Leeke cannot teach the combination of limitations in claim 10. Both Liu and Leeke fail to teach a method including configuring a central processor to search a plurality of multimedia websites for a plurality of multimedia files wherein the plurality of multimedia websites comprise at least two websites in distinct domains.

Applicant submits that claim 10 is in allowable form and that claims 11-14 and 16-19 are in allowable form because of the additional limitations contained therein and because they depend on claim 10.

Regarding claim 20, Liu fails to disclose a scheduler configured to search a plurality of distinct websites for a multimedia file. In support of this, Applicant references and resubmits the arguments made above in relation to claims 1 and 10. Further, Leeke fails to disclose a scheduler configured to search a website for a multimedia file. In support of this, Applicant references and resubmits the arguments made above in relation to claim 10. Applicant further submits that any combination of Liu and Leeke fails to teach the combination of limitations in claim 20.

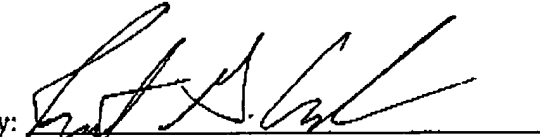
Therefore, Applicant submits that claim 20 is in allowable form and that claim 21 is in allowable form because of the additional limitations contained therein and because it depends on

claim 20.

Based upon the foregoing, Applicants believe that all pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

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